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10 Attorneys for Defendant

11 UNITED STATES DISTRICT COURT

12 EASTERN DISTRICT OF CALIFORNIA

13 FRESNO DIVISION

14 DIONNE SINGLETON,

Civil No. 1:24-cv-01417-BAM

15 Plaintiff,

16 STIPULATION AND ~~PROPOSED~~ ORDER  
17 FOR EXTENSION OF TIME TO FILE THE  
ELECTRONIC CERTIFIED  
ADMINISTRATIVE RECORD AS THE  
ANSWER TO PLAINTIFF'S COMPLAINT

18 vs.

19 CAROLYN COLVIN,  
Acting Commissioner of Social Security,<sup>1</sup>

20 Defendant.

21  
22 Pending the Court's approval, the parties stipulate through their respective counsel that  
23 Defendant, the Commissioner of Social Security (the "Commissioner"), shall have a thirty-day  
24

25 \_\_\_\_\_  
26 <sup>1</sup> Carolyn Colvin became the Acting Commissioner of Social Security on November 30, 2024.  
27 Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Carolyn Colvin should be  
28 substituted for Martin O'Malley as the defendant in this suit. No further action need be taken to  
continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42  
U.S.C. § 405(g).

1 extension of time to respond to Plaintiff's Complaint in this case from January 21, 2025, up to and  
2 including February 20, 2025. In support of this request, the Commissioner respectfully states as  
3 follows:

- 4       1. Defendant's response to Plaintiff's Complaint is due to be filed by January 21, 2025.  
5              Defendant has not previously requested an extension of this deadline.
- 6       2. In accordance with the Federal Rules of Civil Procedures, recently amended to add  
7              Supplemental Rules for Social Security review cases under 42 U.S.C. § 405(g), the  
8              Commissioner files a certified administrative record (CAR) as the Answer to a  
9              Complaint for review.
- 10      3. Counsel for the Commissioner has been informed by the client agency, which is the  
11              Social Security Administration, Office of Appellate Operations, that the CAR is not  
12              fully prepared in this matter. The client agency therefore needs more time to prepare  
13              the CAR for the Court's review.
- 14      4. For this reason, Defendant requests an extension to February 20, 2025 (30 days), to  
15              file an Answer or other response in this matter.
- 16      5. Counsel for the Commissioner has consulted with Plaintiff's counsel who advised that  
17              he has no objection to this extension request.
- 18      6. This request is made in good faith and is not intended to delay the proceedings in this  
19              matter.
- 20      7. I am attempting to preserve limited judicial resources and have applied the most rapid  
21              response under the circumstances.

22              WHEREFORE, Defendant requests until February 20, 2025, to respond to Plaintiff's  
23              Complaint.

1 Respectfully submitted,

2 DATE: January 21, 2025

Law Offices of Francesco Benavides

3 /s/ Francesco Paulo Benavides\*

4 FRANCESCO PAULO BENAVIDES

5 Attorney for Plaintiff

(\*as authorized via email on January 17, 2025)

6 MICHELE BECKWITH

7 Acting United States Attorney

8 MATHEW W. PILE

9 Associate General Counsel

Office of Program Litigation, Office 7

Social Security Administration

12 DATE: January 21, 2025

By

s/ Justin L. Martin

JUSTIN L. MARTIN

13 Special Assistant United States Attorney

14 Attorneys for Defendant

15 ORDER

16 Pursuant to stipulation, and good cause appearing, the Commissioner shall have a thirty-  
17 day extension of time to respond to Plaintiff's Complaint in this case from January 21, 2025, up  
18 to and including February 20, 2025. All other deadlines in the Court's Scheduling Order are  
19 modified accordingly.

21 IT IS SO ORDERED.

22 Dated: January 21, 2025

/s/ Barbara A. McAuliffe

23 UNITED STATES MAGISTRATE JUDGE